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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF

**DECLARATION OF ANDREW M.
HOLMES IN SUPPORT OF CISCO'S
MOTIONS TO EXCLUDE EXPERT
OPINION TESTIMONY FROM
DEFENDANT ARISTA NETWORKS,
INC.'S EXPERTS**

DEMAND FOR JURY TRIAL

DECLARATION OF ANDREW M. HOLMES IN SUPPORT OF CISCO'S MOTIONS TO EXCLUDE
EXPERT OPINION TESTIMONY FROM DEFENDANT ARISTA NETWORKS, INC.'S EXPERTS

Case No. 5:14-cv-05344-BLF

DECLARATION OF ANDREW M. HOLMES

I, Andrew Holmes, declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate with the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Cisco Systems, Inc. (“Cisco”). I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Cisco’s Motions to Exclude Expert Opinion Testimony from Arista Networks, Inc’s (“Arista”) Experts—including testimony from John R. Black, Jr., William M. Seifert, Douglas W. Clark, and Cate M. Elsten.

3. Attached hereto as Exhibit 1 is a true and correct copy of the June 3, 2016 Expert Report of John R. Black, Jr.

4. Attached hereto as Exhibit 2 is a true and correct copy of the June 17, 2016 Rebuttal Expert Report of John R. Black, Jr.

5. Attached hereto as Exhibit 3 is a true and correct copy of the CV of John R. Black, Jr.

6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the June 30, 2016 deposition of John R. Black, Ph.D.

7. Attached hereto as Exhibit 5 is a true and correct copy of the June 3, 2016 Opening Expert Report of William M. Seifert.

8. Attached hereto as Exhibit 6 is a true and correct copy of

9. Attached hereto as Exhibit 7 is a true and correct copy of the June 3, 2016 Expert Report and Disclosure of Cate M. Elsten.

10. Attached hereto as Exhibit 8 is a true and correct copy of the July 13, 2016 Rebuttal Expert Report and Disclosure of Cate M. Elsten.

1 11. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the July 28,
2 2016 deposition of Cate M. Elsten.

3 12. Attached hereto as Exhibit 10 is a true and correct copy of a March 29, 2012 email
4 from "Weird Kid Software" at emailchemydemo@weirdkid.com and thread bearing the Bates
5 numbers CSI-CLI-01610893 through CSI-CLI-01610938 and marked as Exhibit 1593 to the
6 deposition of Cate M. Elsten.

7 13. Attached hereto as Exhibit 11 is a true and correct copy of the metadata report for
8 the document bearing the Bates numbers CSI-CLI-01610895 through CSI-CLI-01610934.

9 14. Attached hereto as Exhibit 12 is a true and correct copy of the June 3, 2016
10 Opening Expert Report of Douglas W. Clark Regarding Invalidity of U.S. Patent No. 7,047,526.

11 15. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the June 17,
12 2016 Rebuttal Expert Report of Douglas W. Clark Regarding Conception and Reduction to
13 Practice of U.S. Patent No. 7,047,526.

14 16. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from the July 6,
15 2016 deposition of Douglas W. Clark, Ph.D.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct, and that this declaration was executed in San Francisco, California,
18 on August 5, 2016.

19
20 /s/ Andrew M. Holmes
21 Andrew M. Holmes
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SIGNATURE ATTESTATION

Pursuant to Civ. L.R. 5-1(i)(3), the undersigned hereby attests under penalty of perjury that concurrence in the filing of this document has been obtained from the signatory indicated by the “conformed” signature (/s/) of registered ECF User Andrew M. Holmes.

Dated: August 5, 2016

/s/ John M. Neukom

John M. Neukom